



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, August 30, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **August 30, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. The projects being considered are located on the northeast corner of Southwest Expressway and Fruitdale Avenue (1451 FRUITDALE AV), in the A(PD) Planned Development Zoning District (HUDSON DANIEL E ET AL, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 8/23/06.**
 - 1. **PD06-016. Planned Development Permit** to construct 91 multi-family residential units on a 1.87 gross acre site.
 - 2. **PT06-061. Planned Development Tentative Map Permit** to subdivide 1 parcel into 91 lots for residential condominium purposes on a 1.87 gross acre site.
- b. **T06-051. Tentative Map Permit** to subdivide two parcels into 16 lots for single-family detached residential uses on a 684.5 gross acre site in the R-1-1 Single-Family Residence Zoning District, located approximately 500 feet east of Almaden Road and 500 feet west of McKean Road, APN 742-09-049 Council District 10. SNI: None. CEQA: Environmental Review Incomplete.
- c. **TR01-119. Tree Removal Permit** to legalize the removal of one Latex tree, approximately 73" in circumference, which was removed without the benefit of permits on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the 2748 Cramer Circle (2748 Cramer Circle) (Tony & Louis Nguyen, Owner). Council District 7. CEQA: Exempt.
- d. **PD06-008. Planned Development Permit** to allow the construction of approximately 5,000 square feet of retail uses and the construction of a parking garage in the A (PD) Planned Development Zoning District, located on the northwest corner of Coleman Avenue and Newhall Street (1115 COLEMAN AV) (Arcadia Development Company, Reinhard Eli, Owner). Council District 3. SNI: None. CEQA: Addendum to EIR.

- e. **H06-018. Site Development Permit** to allow exterior modifications and site improvements for an existing vacant office building on a 0.78 gross acre site in the CP Pedestrian Commercial Zoning District, located at/on the southwest corner of Old Almaden Road and Foxworthy Avenue (3005 OLD ALMADEN RD) (Kaneda David K And Stephania Wong Trustee, Owner). Council District 9. SNI: None. CEQA: CEQA Exempt.
- f. The projects being considered are located on the northeast corner of North Capitol Avenue and Grandview Drive (680 N CAPITOL AV), in the A(PD) Planned Development Zoning District (Pinn Bros., Applicant). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration.
 - 1. **PD05-074. Planned Development Permit** to construct 46 multi-family attached residences on a 2.0 gross acre site.
 - 2. **PT05-098. Planned Development Tentative Map** to consolidate 3 parcels into 6 lots for 46 multi-family attached residential units on a 2.0 gross acre site.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. The projects being considered are located on the east side of Hervey Lane, approximately 230 feet southerly of Padres Drive, in the A(PD) Planned Development Zoning District (Pinn Brothers Fine Homes, Developer). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.
 - 1. **PD05-009. Planned Development Permit** to construct 19 single-family detached residences in the A(PD) Planned Development Zoning District, and
 - 2. **PT05-007. Tentative Map** application to subdivide one parcel into 25 lots for single-family detached residential and public access.
- b. **H03-037. Site Development Permit** to construct a new 40,857 square foot commercial building including retail uses, office uses, and underground parking on a 0.52 gross acre site in the CP Commercial Pedestrian Zoning District, located on the southwest corner of Story Road and Adrian Way (2198 STORY RD) (Lee Brian, Owner). Council District 5. SNI: East Valley/680 Communities. CEQA: Exempt.
- c. **TR06-122. Tree Removal Permit** request to legalize the removal of an already removed Blue Spruce tree of unknown tree trunk size, and to determine the required tree replacement, on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1020 Cherry Avenue (Diehl Richard L And Hollingsworth-Diehl Je, Owner). Council District 6. CEQA: Exempt.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/default.asp>

PUBLIC INFORMATION COUNTER

(408) 535-7800 CITY OF SAN JOSE